

NATIONAL CITY POLICE DEPARTMENT



Police Policies & Procedures Presentation

August 20, 2020



#8CANTWAIT

Campaign Zero's #8CantWait is a national campaign that recommends police departments across the country adopt policies and procedures aimed to **reduce police shootings and excessive force.**



POLICIES AND STATUTES RELATED TO #8CANTWAIT CAMPAIGN

During the past four years, the National City Police Department has conducted a comprehensive update of all department policies and procedures.

Appropriately, we adopted current legislative statute requirements and policies in an effort to integrate professional best practices.

These policies correspond to the #8CantWait Campaign.



POLICIES AND STATUTES RELATED TO #8CANTWAIT CAMPAIGN

In addition the National City Police Department requires officers to receive training in:

- ❖ de-escalation,
- ❖ crisis intervention,
- ❖ and scenario based training

The training is designed to develop additional skills and abilities to **effectively communicate** with the public and **de-escalate** potential violent situations.

#8CANTWAIT

BAN CHOKEHOLDS
& STRANGLEHOLDS



REQUIRE
DE-ESCALATION



REQUIRE
WARNING BEFORE
SHOOTING



EXHAUST ALL
ALTERNATIVES
BEFORE SHOOTING



TOGETHER, THESE 8 POLICIES CAN
DECREASE POLICE VIOLENCE BY **72%**.



DUTY TO
INTERVENE



BAN SHOOTING AT
MOVING VEHICLES



ESTABLISH USE OF
FORCE CONTINUUM



REQUIRE ALL FORCE
BE REPORTED

VISIT **8CANTWAIT.ORG** TO FIND YOUR CITY,
CALL YOUR MAYOR, AND DEMAND CHANGE RIGHT NOW.

CAMPAIGN ZERO



1. BAN CHOKEHOLD AND STRANGLEHOLDS

- ❖ Chokehold and strangleholds are not taught or authorized as an arrest and control tactic; chokeholds and strangleholds are **NOT** the carotid hold.
- ❖ **On June 4, 2020, the National City Police Department issued a department order to discontinue the use of the carotid hold as a less lethal force option and removed the corresponding section from policy (300 – Use of Force Policy).**



2. REQUIRE DE-ESCALATION

❖ 300 – Use of Force

300.3.5 – Alternative Tactics – De-escalation

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force

❖ 409 – Crisis Intervention

409.6 – De-escalation

Policy provides strategies about de-escalation, actions to consider and actions to avoid.

❖ Adoption of the San Diego Countywide Crisis Management Philosophy

- ❖ **SB230** requires officers to be trained in and utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible.



3. REQUIRE WARNING BEFORE SHOOTING

❖ **AB392** amended California Penal Code Section 835a which regulates the use of force by peace officers in California. The changes are reflected in National City Police Department policies.

❖ **300 – Use of Force Policy**

300.4 (b) – Deadly Force Applications

Where feasible, the officer shall, prior to the use of force, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used.



4. EXHAUST ALL OTHER MEANS BEFORE SHOOTING

❖ 300 – Use of Force Policy

Section 300.3 – Use of Force

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

Section 300.4 – Deadly Force Applications

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers should evaluate the use of other reasonably available resources and techniques when determining whether to use deadly force.

❖ AB392 amended California Penal Code Section 835a which regulates the use of force policies



5. DUTY TO INTERVENE

❖ 300 – Use of Force Policy

300.2.1 Duty to Intercede

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.



6. BAN SHOOTING AT MOVING VEHICLES

❖ 300 – Use of Force Policy

300.4.1 - Shooting at or from Moving Vehicle

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.



7. ESTABLISH USE OF FORCE CONTINUUM

❖ 300 – Use of Force Policy

300.3 – Use of Force

Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code § 835a).

300.3.2 – Factors Used to Determine the Reasonableness of Force

300.3.3 – Pain Compliance Techniques

300.4 – Deadly Force Applications



8. REQUIRE ALL FORCE BE REPORTED

❖ 300 – Use of Force Policy

Section 300.5 – Reporting the Use of Force

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

Section 300.5.1 – Notification to Supervisors



USE OF FORCE INCIDENTS

2017

- ❖ Calls for Service 48,176 (dispatch and officer initiated)
- ❖ Number of Arrests 2,952
- ❖ Total uses of force 46 (total)
- ❖ Percentage of use of force during a police contact = 0.09%
- ❖ Percentages of use of force during arrests = 6.12%



USE OF FORCE INCIDENTS

2018

- ❖ Calls for Service 57,327 (dispatch and officer initiated)
- ❖ Number of Arrests 2,610
- ❖ Total uses of force 50 (total)
- ❖ Percentage of use of force during a police contact = 0.08%
- ❖ Percentages of use of force during arrests = 4.55%



USE OF FORCE INCIDENTS

2019

- ❖ Calls for Service 58,677 (dispatch and officer initiated)
- ❖ Number of Arrests 2,532
- ❖ Total uses of force 62 (total)
- ❖ Percentage of use of force during a police contact = 0.10%
- ❖ Percentages of use of force during arrests = 4.31%



ASSEMBLY BILL 392

The changes consisted primarily of the following:

- ❖ Sanctity of every human life
- ❖ Force when necessary in defense of human life
- ❖ The perspective of a reasonable officer
- ❖ The person's disability may affect their ability to understand or comply
- ❖ Objectively reasonable force
- ❖ Person does not pose an imminent threat of death or serious bodily injury
- ❖ Tactical repositioning or other de-escalation tactics



SENATE BILL 230

The changes consisted primarily of the following:

- ❖ Utilizing de-escalation techniques and other alternatives to force when feasible
- ❖ Specific guidelines for the application of deadly force
- ❖ Obligation for an officer to intercede when observing another officer using force that is clearly beyond that which necessary
- ❖ Training standards and use of force reporting mandates



Thank you